



THE ATTORNEY GENERAL
OF TEXAS

JIM NATION
ATTORNEY GENERAL

October 10, 1990

Mr. Cobby A. Caputo
Attorney for Abilene I.S.D.
P.O. Box 2156
Austin, Texas 78768

OR90-474

Dear Mr. Caputo:

You ask whether the Abilene Independent School District must make certain information available under Texas Open Records Act, article 6252-17a. Your request has been assigned ID# 10027.

You explain that in June the school district issued an invitation to bid on office supplies. Because bidders appeared to be confused about the meaning of certain bid specifications, the school district rejected all bids, clarified the specifications, and requested new bids. One of the companies that submitted a bid in response to the second invitation for bids has asked to see the responses to the original invitation. You seek to withhold the information under section 3(a)(4) of the Open Records Act, which allows a governmental body to withhold information that would give an advantage to competitors or bidders. You argue that information in the original bids might give bidders information about the bids of repeat bidders. We agree. See generally Open Records Decision No. 170 (1977).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-474.

Yours very truly,

A handwritten signature in cursive script that reads "Sarah Woelk".

Sarah Woelk
Assistant Attorney General
Opinion Committee

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Ref.: ID# 10027